

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

**UNITED STATES OF AMERICA**

**v.**

**Case No. 1:06-cr-00020-IMK-8**

**DEWAYNE ANDERSON**

**Request for Access to Pre-Sentence Report by New Counsel**

Now comes Dewayne Anderson, by Martin P. Sheehan, Esq. and SHEEHAN & NUGENT, P.L.L.C., and requests the Court give the undersigned Martin P. Sheehan, Esq. access to the pre-sentence report filed under seal as docket entry number 632. In support of this motion the defendant asserts that his new counsel has need of this document as a result of the action of the United States Court of Appeals for the Fourth Circuit reversing his conviction on Count 1 and remanding this case for further proceedings.

WHEREFORE the defendant requests that his new counsel be granted access to the sealed presentence report on such terms as the court deems appropriate.

RESPECTFULLY SUBMITTED

/s/ *Martin P. Sheehan*

Martin P. Sheehan, Esquire  
WV Bar No. 4812

**SHEEHAN & NUGENT, PLLC**  
41 Fifteenth Street  
Wheeling WV 26003  
(304) 232-1064  
(304) 232-1066 FAX

**CERTIFICATE OF SERVICE**

I, MARTIN P. SHEEHAN, do certify that service of the foregoing Notice of Appearance was served upon the following by mailing a true copy thereof, by United States Mail, postage prepaid, this 10th day of July, 2008.

Scott A. Shough, Esq.  
211 Adam St.  
Security Bank Bldg.  
Fairmont, WV 26554

Zelda E Wesley, AUSA  
United States Attorney's Office  
320 W. Pike St., Suite 300  
Clarksburg, WV 26302

/s/ *Martin P. Sheehan*

Martin P. Sheehan  
41 Fifteenth Street  
Wheeling, WV 26003-2941